

**BOARD OF SELECTMEN
MEETING MINUTES
November 3, 2003**

PRESENT: THOMAS C. REYNOLDS JR, CHAIRMAN; DOUGLAS R. COOK, Co CHAIRMAN; BRIAN MCDONALD, SELECTMAN; LAURA PETRAIN, SELECTMAN.

ADMINISTRATIVE COORDINATOR: ROBERT CHRISTENSEN
RECORDING SECRETARY: KELLY BUMPUS

GUEST: Frank Campana, Evelyn M. Connor, Joe Cox, Forrest Esenwine, Ginger Esenwine, Newell Bailey Jr., David P. Hewy, Jeff Spring, Gene Bilodeau, Matt Pelletier, Brad Macauley.

The Selectmen's Meeting was held at the Town Office Building. Chairman Reynolds commenced the meeting at 6:33 p.m.

Chairman Reynolds asked that everyone stand for the Pledge of Allegiance.

1. PUBLIC PARTICIPATION

Frank Campana – Mr. Campana asked the Board for an update on the discrepancy regarding the auditor's report. Selectman Cook informed Mr. Campana that this subject will be discussed later that evening.

Evelyn M. Connor – Ms. Connor wanted to inform the public that there is not any kind of Town election the following day. She stated that she has received calls regarding this.

Margo McLeod – Ms. McLeod stated that the paperwork has been completed regarding the Town lines for Weare and Dunbarton. Ms. McLeod gave the paperwork to the Board.

2. SIGNATURE OF POMERLEAU DEED AND DURACK CORRECTIVE DEED

The Pomerleau deed was given to the Board for signatures. Mr. Christensen informed the Board that regarding the Durack deed, the wrong names were originally written in

by the Notary and a correction is needed. The Durack deed was given to the Board for signatures.

3. OLD BUSINESS

Manifests-

Chairman Reynolds authorized the Board of Selectmen to sign manifests and order the Treasurer to sign checks dated November 6, 2003. Accounts Payable – \$503,929.28, Gross Payrolls - \$25,735.29, for a total of - \$529,664.57. Seconded by Selectman Cook. A vote was taken. Motion passed unanimously.

4. NONPUBLIC SESSION

Chairman Reynolds moved that the Board of Selectmen enter into Nonpublic Session at 7:02 p.m. pursuant to the authority granted in RSA 91-A:3 II (a). Seconded by Selectman Petrain. A roll call vote was taken. Selectman Petrain – yes; Selectman McDonald – yes; Chairman Reynolds – yes; Selectman Cook – yes. Motion passed unanimously.

In Attendance: Chairman Reynolds, Selectman McDonald, Selectman Cook, Selectman Petrain, Mr. Robert Christensen, Ms. Kelly Bumpus.

The Board reviewed and discussed an employee evaluation.

Chairman Reynolds moved to come out of Nonpublic Session at 7:10 p.m. Seconded by Selectman McDonald. A roll call vote was taken. Selectman Petrain – yes; Selectman McDonald – yes; Chairman Reynolds – yes; Selectman Cook – yes. Motion passed unanimously.

5. FIRE DEPARTMENT

Chief Richards gave the Board a copy of a letter to the personnel of the Fire Department thanking them for a job well done on October 27, 2003. Chairman Reynolds read the letter and thanked the Fire Department for the good work.

Chief Richards then spoke with the Board regarding the Fire Department's upcoming budget. Chief Richards went over each line of the Budget. There was a discussion concerning the fact that there is a 26% increase. Selectman Cook stated that the Board as discussed anything over and above 3%, to be put on a supplemental budget. Selectman Petrain stated that they have gone many years with a default budget. Selectman Cook stated that they need to get serious about talking about supplemental

budgets. Selectman Cook stated he would not like to see the entire budget get voted down due to a large increase in one department. Selectman McDonald stated he is leaning towards department warrant articles. Chairman Reynolds stated he would like to see where the overall budget stands before making a decision. The Weare Fire Department proposed 2004 budget is entered into public record.

6. WEARE ATV CLUB

Mr. Jon Osborne met with the Board to discuss trails on Town property. Mr. Osborne provided the Board with maps of the locations the ATV club would like to access. The Board advised Mr. Osborne to meet with the Conservation Commission. The Board discussed the fact that letters need to be sent to the abutters of the properties in question at the expense of the ATV club. Selectmen Cook stated that once letters have been sent, the Board can schedule a public hearing.

7. BOARD OF FIRE WARDS

Chief Richards spoke with the Board regarding the Fire Department's desire to keep the Sugar Hill Station open. He stated that several members of the Fire Department are willing to perform the work if the Town will pay for the materials. He stated that it is his recommendation to the Board of Fire Wards to keep it open. Chief Richards stated that the cost of materials may be able to be taken from the Town Building Maintenance Fund, or be put on a warrant article. Chief Richards went over the work needed and material costs. Selectman McDonald made a motion to authorize up to \$8,000 to come out of the Building Maintenance Fund. Seconded by Chairman Reynolds. Selectman Cook stated that the last time this was discussed, it was only a couple of thousand dollars needed. Chief Richards explained that this was the cost to raise the roof only. Selectman Cook stated that at the time he went on board with the Safety Complex it was said that the areas now covered by the Sugar Hill Station would be assessable. He stated that this is what we told voters, and now two years later they will be spending \$8,000 to fix the Sugar Hill Station. Selectman Cook stated that if this is really what the Fire Department wants to do, it should be put on a warrant article to ask the voters. Selectman McDonald stated that the Safety Complex was scaled down by two doors because of the cost. He went on to state that now the Town has Fox Hollow going in that area. Selectman Cook stated that he believes it is more of a trust issue, and that they had told the voters one thing and now they are doing another. A vote was taken. Motion passed 3 in favor; 1 opposed (Selectman Cook). Chief Richards stated that there will be someone in charge of the project that will be updating the Board on the progress.

Chief Richards then discussed the Negligent Fee Ordinance with the Board. He stated that the ordinance is fine except that it did not include hazardous materials and personnel costs. He stated that they are going to rework the numbers for billing for simplification purposes.

8. REQUEST FOR TRAPPING PERMIT ON TOWN LAND

Mr. Steve Kurylo met with the Board regarding his request to trap on Town property. Mr. Kurylo discussed with the Board his intent and the land he is requesting to trap on. There was discussion regarding Mr. Kurylo's trapping methods and the fact that he will not be trapping entire populations. Chairman Reynolds discussed with the Board if Mr. Kurylo will need to meet with the Conservation Commission regarding this. Mr. Kurylo stated that he has had a conversation with Mr. Robert Reeves and Mr. Reeves had thanked him for his input. Selectman McDonald stated that because this does not involve forestry, and because of the ordinance, the Board of Selectmen can make the decision. Selectman McDonald stated that it is obvious that Mr. Kurylo knows what he is doing and his concerns have been addressed. Mr. Kurylo gave the Board a copy of his licensing and permit. Selectman Cook made a motion for the Chairman to sign the trapping permit. Seconded by Selectman McDonald. A vote was taken. Motion passed unanimously.

9. OLD BUSINESS

Safety Complex –

Selectman Cook stated that so far they are right on budget. He stated that there are two priorities that need to be addressed at this time. One is to stabilize the banking, and the other is guardrail. Selectman Cook stated that it looks like they are a couple thousand dollars under spent, and is hoping to absorb these costs.

10. NEAL KURK – DEFAULT BUDGET LANGUAGE DISCUSSION

Mr. Neal Kurk met with the Board to discuss changes to the default budget language. He stated that there have been a number of complaints on how the default process works. He stated that none of the possible changes discussed this evening will have any effect on this year's budget. Mr. Kurk stated that the first change proposed is to petition articles. He stated that they are proposing a new article that will require 500 signatures or 25% of voters and that they will not be subject to any changes. He stated that as far as the default budget goes, they are thinking of doing two things, they are going to redefine it to be very specific so there will be almost no flexibility. Also, developing language that deals with contracts. Mr. Kurk explained that if a contract is not approved by the legislative body and extends past the year, they will not be allowed

in the default budget. He stated that if you go to the Town and the Town votes for a 3 year contract, for example, then it will be able to be included in future default budgets. The Board discussed whether the assessing contract will fall under this change. Mr. Kurk stated that he does not think assessing will be an exception. The Board then discussed whether the upkeep of cemeteries will fall under this change. Mr. Kurk stated that the Board will need to make more special articles to include these things.

The Board then discussed with Mr. Kurk the fact that they are looking to give the voters more choices with warrant articles. The Board discussed the fact that they have been unable to get an operating budget to pass. Mr. Kurk stated that somewhere along the line, they need to communicate with Town's People better and make them understand why they need the operating budget. Mr. Kurk suggested using more specific terms to the tax payers and letting them know exactly what will not be done, or what employees will have to be let go if the operating budget does not pass. Selectman Petrain stated that the tax payers have not seen any negative effects of the default budget, the transfer station has not been closed, and the roads have not gone unplowed up to this point.

Selectman Cook then discussed with Mr. Kurk eliminating the deliberative session, and the fact that there aren't many voters that attend. Mr. Kurk suggested they contact the municipal association and see if other Boards of Selectmen agree. He stated that he will bring up the issue.

11. OLD BUSINESS

John Stark Deliberative Session –

Chairman Reynolds stated that they received an e-mail regarding the John Stark deliberative session and the fact that it falls on the same night as the Town deliberative session. Selectman Cook stated that he maintains that the Board set their date first. Selectman Petrain requested Mr. Christensen send a letter regarding this. Chairman Reynolds requested Mr. Christensen contact the supervisors of the checklist and see if it poses a problem.

General Fund Balance –

Chairman Reynolds stated that they have received a memo from Ms. Pierson explaining the discrepancy. Selectman Cook stated that the balance includes money owed to the Town and that the Town does not physically have the full amount. Chairman Reynolds stated that he has a question as to why they didn't know they had more receivables in 2002 by January 2003. He stated he is confused as to why they had to wait so long for this information. He stated that it is hard to make proper decisions without proper numbers. Chairman Reynolds stated that the Board needs to

decide if they are going to give back to reduce taxation. Selectman McDonald stated that he is comfortable with giving \$100,000 back to reduce taxation. The Board reviewed the information and agreed that \$100,000 will be given back to reduce taxes. Selectman McDonald stated that he is in favor of calling Ms. Pierson in for a discussion regarding budget numbers in hopes of understanding the process a little better.

Grant Funding –

Selectman Petrain stated that she read in the minutes of the previous week where Selectman Cook wanted to bring up grant funding again this week. Selectman Cook stated that the Board has had some clarification on the RSA and grant change. Selectman Cook read out loud, “under which the program or grant is initiated”, he stated that they do not have to go back to the voters every year, but only if that level of support changes. Selectman Petrain stated that she understands what it says.

Ex Officio for the Planning Board -

Selectman Cook stated that he wanted to inform Selectman Petrain of the issue that arose with Mr. Paul Morin of the Planning Board. Selectman Cook stated that after the motion failed to appoint Mr. Carl Knapp as ex officio, the Board was left with the decision of how to fill the position. Selectman Cook stated that he wants to point out that the three of them (Chairman Reynolds, Selectman Cook, Selectman McDonald) were put in an unfair position when Mr. Morin was making his request. Selectman Cook stated that Selectman Petrain’s absence and reluctance of sitting on another board is putting them in an unfair position. He stated this is due to the absence of both Selectman Petrain and Selectman Methot.

Denial of Right to Know Requests -

Chairman Reynolds informed Mr. Christensen that he was speaking to a resident who’s request was denied. Chairman Reynolds requested that the Board be made aware when a request is denied. Mr. Christensen agreed to inform the Board when a request is denied in the future, explaining that the request could not be filled by the office of the Board of Selectmen.

Resident’s Letter regarding the Stone Fund –

Selectman Cook stated that they received a letter from a resident stating he would be unable to attend the meeting tonight, but wishes the Board to read his letter regarding the Stone Fund. The letter is entered into public record. Selectman Cook asked the Board if they wish to send a letter requesting guidelines be set for this fund? The Board agreed to send the Trustees a letter requesting set guidelines.

Wage Scale –

Mr. Christensen gave the Board the finalized wage scale to review. Selectman Cook stated that the Land Use Coordinator's position has not been reviewed by the Benefit Review Committee. The Board agreed to hold off on approving the wage scale until the Benefit Review Committee has a chance to review the position.

12. NEW BUSINESS

Boisvert Reclamation Bond -

Selectman Petrain stated she would like to bring up the Boisvert reclamation bond. She stated that one of the things that Mr. Nichols stated in his memo is that this is in the same stage a bond was issued for Thibeault Corp. Selectman Petrain made a motion to release the reclamation bond. Seconded by Selectman McDonald. A vote was taken. Motion passed unanimously.

Highway Department Ride-Alongs –

Selectman Petrain stated that they have received a request to have wives sign waivers to ride along while their husbands plow. She stated that they work long hours, and there has been a request from the wives to be able to ride along. Chairman Reynolds stated he does not have a problem with this. Selectman Cook stated they should leave it up to the insurance company. Selectman McDonald agreed stating he is curious to know what the insurance thinks about the subject. The Board asked Mr. Christensen to contact Primex regarding this.

December 26th –

Chairman Reynolds stated that there was an article in the paper he had read about giving Town employees the 26th off so they will have a four day weekend. He stated that he had asked an employee of the highway department his thoughts, and he responded that he personally preferred to work that day because it would make his following Saturday too busy. The Board discussed the option of giving Town Employees the extra day off. Selectman Cook stated he would be in favor of leaving it up to the employees as to whether they would like not to take another holiday off and have the 26th off. Selectman Petrain stated that she likes the idea of giving the employees the day off as it is a moral booster. Selectman Petrain made a motion to give Town Employees the day off and those essential personnel to give them an additional day off to be used by June 1. Seconded by Selectman McDonald. A vote was taken. Motion passed 3 in favor; 1 opposed (Selectman Cook).

13. NONPUBLIC SESSION

Chairman Reynolds moved that the Board of Selectmen enter into Nonpublic Session at 10:36 p.m. pursuant to the authority granted in RSA 91-A:3 II (a). Seconded by Selectman McDonald. A roll call vote was taken. Selectman Petrain – yes; Selectman McDonald – yes; Chairman Reynolds – yes; Selectman Cook – yes. Motion passed unanimously.

In Attendance: Chairman Reynolds, Selectman McDonald, Selectman Cook, Selectman Petrain, Mr. Robert Christensen.

The Board reviewed and discussed an employee evaluation.

Chairman Reynolds moved to come out of Nonpublic Session at 11:09 p.m. Seconded by Selectman Petrain. A roll call vote was taken. Selectman Petrain – yes; Selectman McDonald – yes; Chairman Reynolds – yes; Selectman Cook – yes. Motion passed unanimously.

14. ADJOURNMENT

Selectman Petrain made a motion to adjourn at 11:10 p.m. Seconded by Chairman Reynolds. A vote was taken. Motion passed unanimously.

A True Record

Kelly Bumpus, Recording Secretary